

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GARY LEWIS,)
)
)
Plaintiff,) No. 23-cv-16229
)
)
v.) Judge: Rebecca R. Pallmeyer
)
)
CITY OF CHICAGO, *et al.*)
)
)
Defendants.)

**DEFENDANTS' OPPOSED SECOND JOINT MOTION FOR AN EXTENSION OF
TIME TO FILE RESPONSIVE PLEADINGS**

Defendants Curia, Doherty, Prothro, and Smith (“Defendant Officers”), by and through one of their attorneys, Mark Alanson, Assistant Corporation Counsel for the City of Chicago, and City of Chicago (“Defendant City”), by and through one of its attorneys, Leslie Wiesen, Assistant Corporation Counsel for the City of Chicago, pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), respectfully move this honorable Court for an extension of time for all Defendants to file their respective responsive pleadings to Plaintiff’s Complaint, up to and including March 18, 2024. In support thereof, Defendants jointly state as follows:

1. On November 27, 2023, Plaintiff filed his Complaint, containing four counts of alleged violations under 42 U.S.C. § 1983, two state-law claims, and an indemnification count. [Dkt. No. 1].
2. Plaintiff is suing Defendant City and four Chicago police officers (collectively “Defendant Officers”). *Id.*
3. Defendants jointly filed their first motion for extension of time to respond to Plaintiff’s Complaint on January 2, 2024, and this response is currently due on February 16, 2024. [Dkt. Nos. 8 and 9].

4. However, since the filing of this first motion for extension of time, Defendant Officers' former lead counsel has announced his departure from Corporation Counsel and this matter was subsequently reassigned to new attorneys.

5. Undersigned counsel filed his appearance on behalf of Defendants Curia and Doherty on February 13, 2024, and has assumed the role of lead counsel. [Dkt. No. 12].

6. Newly appointed counsel for Defendant Officers is still in the process of reviewing the facts and legal sufficiency of the Complaint. This recent counsel has not yet been able to meet and confer with Defendants Prothro and Smith to address the pleadings in this case.

7. Defendant City, therefore, has not had the opportunity to complete its initial investigation into Plaintiff's claims and is in need of additional time to meet and confer with Defendants Prothro and Smith.

8. In addition, one of the attorneys for Defendant Officers is scheduled to begin a Northern District jury trial on February 20, 2024, that is expected to last until February 23, 2024. Due to the obligations associated with trial preparation in that matter, this counsel is unable to prepare Defendant Officers' response by the current deadline.

9. Accordingly, to review the information necessary to form and file the most appropriate and complete responsive pleadings to Plaintiff's Complaint, as well as for the sake of expediency in allotting all defendants the same time to respond, Defendants jointly request a second extension of 30 days for all Defendants, up to and including March 18, 2024.

10. Plaintiff's counsel objected to the Defendants' second proposed 45-day extension of time. However, Defendants countered in an email with the current 30-day extension request and Plaintiff's counsel has not responded.

11. This motion is made in good faith and not for purposes of undue delay. Further, no party will be prejudiced as a result of the requested extension.

WHEREFORE, for the above and foregoing reasons, Defendants respectfully request this honorable Court to grant Defendants' joint motion for an extension of time for Defendant City and Defendant Officers to file their responsive pleadings up to and including March 18, 2024, and grant any additional relief that the Court deems just.

Dated: February 16, 2024.

Respectfully submitted,

/s/ Mark Alanson
Mark Alanson
Assistant Corporation Counsel

Mark Alanson, Assistant Corporation Counsel
Jessica Griff, Assistant Corporation Counsel Supervisor
City of Chicago Department of Law
Federal Civil Rights Litigation Division
2 North LaSalle Street, Suite 420
Chicago, Illinois 60602
Phone: (312) 744-8311
Attorneys for Defendants Curia and Doherty

/s/ Leslie Wiesen
Leslie Wiesen
Assistant Corporation Counsel

Marion Moore, Chief Assistant Corporation Counsel
Simerdeep Kaur, Assistant Corporation Counsel
Leslie Wiesen, Assistant Corporation Counsel
City of Chicago Department of Law
Federal Civil Right Litigation Division
2 North LaSalle St. Ste. 420
Chicago, IL 60602
Phone: 312 742-1842
Attorneys for Defendant City of Chicago

CERTIFICATE OF SERVICE

On February 16, 2024, the foregoing document, *Second Joint Motion for Extension of Time*, was filed with the Clerk of the Court for the Northern District of Illinois by using the CM/ECF system. All participants are registered users who will be served by the CM-ECF electronic filing system.

/s/ Mark Alanson